

VIA OVERNIGHT EXPRESS DELIVERY

July 22, 2000

Ms Magalie Roman Salas
Secretary
Federal Communications Commission
445 Twelfth Street, SW - TW-A325
Washington, DC 20554

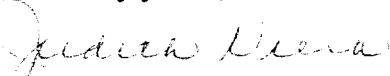
Re: CC Docket No. 98-67, Telecommunications Relay Services and
Speech-to-Speech Services for Individuals with Hearing and Speech
Disabilities

Dear Ms. Salas:

Enclosed are the original and five (5) copies of the Response to Petition for
Reconsideration by Vista Information Technologies, Inc. which were filed
electronically via the FCC's Electronic Comment File Submission on July 22, 2000
in behalf of the National Association of the Deaf/Telecommunications Advocacy
Network (NAD/TAN) and the Consumer Action Network (CAN).

Please date stamp and return one copy in the enclosed self-addressed envelope.
Thank you for your assistance in processing this document.

Sincerely yours,



Judith Viera for
Nancy Bloch, Executive Director, National Association of the Deaf
Claude Stout, Chairperson, Consumer Action Network

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**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of:

Telecommunications Relay Services)	CC Docket No. 98-67
And Speech-to-Speech Services for)	FCC Report and Order
Individuals with Hearing and Speech)	No. FCC 0-56
Disabilities)	

**IN RESPONSE TO PETITION FOR RECONSIDERATION BY
VISTA INFORMATION TECHNOLOGIES, INC.**

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July 19, 2000

I. REPLY TO VISTA'S REQUEST FOR RECONSIDERATION

The Telecommunications Advocacy Network of the National Association of the Deaf (NAD/TAN) and the Consumer Action Network (CAN) oppose the petition filed by Vista Information Technologies, Inc. (Vista), for reconsideration of the FCC's Report and Order No. FCC 00-56.

Vista's petition asks that the FCC delay implementation of a required minimum typing speed for Communications Assistants of 60 words per minute (WPM) and requests a 90-day training period for Relay Operators. NAD/TAN and CAN strongly oppose delay or ramp-up time.

Relay providers and subcontractors are well-aware that there is a strong correlation between accuracy and typing speed on the one hand and quality of the conversation on the other. We were pleased this was acknowledged, albeit in small measure, by the FCC in its most recent orders.

Consumers have been unwavering and consistent in asking the FCC and the states to make Telecommunications Relay Services (TRS) the functional equivalence of telephone conversations experienced by people who can hear and speak. The FCC itself has referred to real-time relay of conversations between text and voice. Forward-thinking vendors will have seen the writing on the wall.

Indeed, we are impressed with and commend the efforts on the part of certain vendors, contractors, and suppliers to increase the speed of transmission through innovative and affordable technology and software applications, and the corresponding reduction of the reliance on manual text entry. Likewise, we commend the decisions by some TRS vendors to locate their centers in geographical areas with an optimal pool of potential communication assistants available to work. These strategies clearly demonstrate that the expectation of real-time relay is realistic and will not put an undue burden on providers or the state.

Vendors who truly understand and are responsive to the needs and expectations of both deaf and hearing consumers will know they must locate their relay centers in cities with an adequate supply of personnel. In fact, Vista's original proposal to provide relay service for the State of Massachusetts included remarks throughout that they understood and would comply with that state's typing speed requirements of 65 wpm. Did Vista hope to get the requirements reduced once they were awarded the contract?

The NAD/TAN and CAN wish to remind vendors, states, and regulatory authorities of who TRS consumers are. Deaf people are found in the full spectrum of occupations. A recent survey of consumers who use transliterators included the following job titles:

System Engineer

State Program Manager

Computer Systems Analyst
Career Counselor
Advocate
Psychologist
Director, Statewide Program
University Administrator
Associate Professor
Outreach Specialist
Content Editor
Executive Director
Relay Account Manager
Research Analyst
Residential School Counselor
911 Dispatcher Trainer
Psychologist and Professor
Assistant Professor
Self-Employed Therapist
Executive Director
Technical Services Librarian
Rehabilitation Counselor
Associate Director
University Counselor
MIS Project Manager
University Professor
Senior Analyst
Retired Educator
Sociologist
Community Liaison Coordinator
Trader
Computer Specialist
Executive Director
State Relay Administrator
Graduate Student/University Instructor
Social Worker
Retired Federal Government Manager
University Department Director
Coordinator of Information & Training
Statewide Program Coordinator
Retired Branch Chief, Federal Govt.
Director, Mental Health Services f/t Deaf
Director, Consumer & Regulatory Affairs
Vocational Rehabilitation Counselor
Federal Program Specialist
Regional Director
Self-employed Motivational Speaker
Rehabilitation and Mental Health Counselor

Senior Computer Programmer/Analyst
President/Founder Motivational Speaker
Management/Technology Consultant
Manager, Corporate Development
Associate Executive Director
Graduate Student
Vice President
Assistant Professor
Manager, Policy and Research
Chief Executive Officer
Retired State Program Manager

Given the type of telephone conversations required for work in such occupations, we fail to see why Vista's request should be approved. NAD/TAN and CAN strongly oppose any ramp-up time. Vista's request highlights the fact that they place Operators on the line who only test at 55 wpm. Since we do not believe even 65 wpm is adequate for the work environment, NAD/TAN and CAN obviously oppose Vista's request that "the Commission change the Order to require a 50 or 55-wpm typing skill at hire, with a 60 wpm minimum required when the CA reaches 90 days of employment."

We are also appalled at the insensitivity of Vista's suggestion that consumers put their work and personal relationships in jeopardy by being 'human guinea pigs' during Operator training. We have carefully considered but rejected the possibility that trainees might be identified as such when they state their operator number at the outset (CA1234T, for example) so that the relay user can request an Operator of greater skill if the purpose of the call might be compromised when conducted by an unskilled Operator. However, our experience has shown that requesting a different Operator, for reasons of gender, for example, often results in a delay. Consequently, the idea of a special designation is not considered appropriate or feasible.

Consumers respectfully remind the FCC and Vista that use of relay service severely tests the patience of hearing persons at the other end of our conversations. They tend to judge us by the quality of the relay service. Most do not understand that at the present time consumers have no choice of relay provider unless we are making interstate calls. Neither party is able to project competence and to successfully negotiate social or work-related discourse in a relayed conversation.

According to Vista, "[S]upporting a job candidate for two months before they can perform any Operator functions is an onerous burden for a Relay Provider to bear (as well as the State)" To this we can only reply, "expecting the consumer to try to carry out a telephone conversation supported by such a candidate is an onerous burden for a consumer to bear." Vista alone decided where to locate its relay center. Vista, and any other vendor in a similar situation, simply did not have enough vision and the requisite strategic planning to anticipate and prepare for new directions in TRS

We ask the FCC to stand firm in its inspired orders. No ramp-up time and no delays in implementation of the FCC's new rules should be allowed. Furthermore, we believe the FCC should draw a line in the sand and establish a target date when TRS providers are required to transmit at the speed of spoken language by whatever means necessary. We will not rest until that is a reality.

II. EVALUATION AND COMPLIANCE

NAD/TAN and CAN ask the FCC to seriously consider independent audit of each state's compliance with FCC regulations and standards. We ask that the audit be based on a sampling of random standardized test calls that evaluates performance on both sides of the same conversations. This is similar to and based on test standards for evaluating the work of sign language interpreters and transliterators of which there are strong parallels. Such evaluation should be tied to the FCC's certification process. In addition, states and/or vendors that fall out of compliance should be assessed liquidated damages and the resulting funds used to support national public service campaigns about the availability and use of TRS.

We thank the FCC once again for considering consumer's concerns.